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ABSTRACT

This report summarizes information from states that responded to a survey on access to adult education opportunities for youth with disabilities. Information was gathered from 43 states during the months of March and April 1999. Results indicate: (1) 26 of the responding states authorized the use of federal and state public education funds for all students through the age of 21, and 9 states through the age of 20; (2) 33 of the responding states do not consider a General Education Diploma (GED) to be a regular high school diploma and allow youth with a GED to continue to be eligible for funds under the Individuals with Disabilities Education Act (IDEA); (3) state laws in 36 of the responding states allow any youth to take adult education courses and to meet secondary school requirements; and (4) in at least 22 states, students with disabilities who drop out of high school have the option of fulfilling graduation requirements or transition requirements under IDEA by taking adult education courses. Inquiry results by states are presented in a table at the end of the report. (CR)

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ED 432 873

QUICK TURN AROUND PROJECT FORUM

NATIONAL ASSOCIATION OF STATE DIRECTORS OF SPECIAL EDUCATION, INC.

QTA – A BRIEF ANALYSIS OF A CRITICAL ISSUE IN SPECIAL EDUCATION

ISSUE: ACCESS TO ADULT EDUCATION FOR YOUTH WITH DISABILITIES

AUGUST 1999

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Quick Turn Around

Project FORUM

QTA - a brief analysis of a critical issue in special education

Issue: Access to Adult Education for Youth with Disabilities *Date:* August 1999

Purpose

This QTA is a summary of information from 43 states that responded to a survey on access to adult education opportunities for youth with disabilities. The purpose of this brief analysis is to provide stakeholders around the country with state information as they seek to improve transition services for youth with disabilities.

Background

The 1997 Amendments to the Individuals with Disabilities Education Act (IDEA) require that "A free appropriate public education is available to all children with disabilities residing in the State between the ages of 3 and 21, inclusive, ..." [20 U.S.C. §1412(a)(1)(A)]. However, the provision of a free appropriate public education (FAPE) "...does not apply with respect to children age 3 through 5 and 18 through 21 in a State to the extent that its application to those children would be inconsistent with State law or practice, or the order of any court, respecting the provision of public education to children in those age ranges;..." [20 U.S.C. §1412(a)(1)(B)].

The final regulations for the 1997 Amendments, issued in the Federal Register on March 12, 1999, further clarified this issue by stating that "The obligation to make FAPE available to all children with disabilities does not apply with respect to the following:... Students with disabilities who have graduated from high school with a regular high school diploma." [34 C.F.R. §300.122 (1999)].

Therefore, in regard to the provision of FAPE to youth with disabilities, ages 18 through 21, federal legislative mandates allow practice to vary somewhat on the basis of state law.

Project FORUM Inquiry

Project FORUM at the National Association of State Directors of Special Education (NASDSE), a Cooperative Agreement with the U.S. Department of Education's Office of Special Education Programs (OSEP), queried states on two topics: (1) authorization of federal and state education funds for youth ages 18 through 21, and (2) access to adult education opportunities for youth with disabilities who have not graduated from high school with a regular diploma. This information was gathered from states via survey during the months of March and April 1999. Responses were received from 43 states.

Inquiry Results

Authorization of Education Funds

Of the 43 responding states, 26 authorize the use of federal and state public education funds for all students through the age of 21, and nine states through age 20. In Kentucky, the age is 21 for federal funds and 20 for state funds, and the local education agency (LEA) makes the decision between age 20 and 21 in North Carolina. Michigan reported authorizing funds through 25 years of age. The remaining five states authorize funds through age 18 or 19.

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Significance of GED

The majority of responding states (n=33) do not consider a GED to be a *regular high school diploma*. In these states, youth with a GED continue to be eligible for IDEA funds. Nine states do consider a GED to be a *regular high school diploma*, which makes youth with a GED ineligible for IDEA funds. One responding state did not provide information on this topic.

Adult Education Options

State laws in 36 of the responding states allow any youth to take adult education courses and to meet *secondary school* requirements. The types of courses for which students may receive secondary school credits are presented in the following chart.

Type of Adult Education Courses Available for Secondary School Credit	# of States (N=36)
Community college	30
Vocational/technical school	25
Alternative program*	27
GED program	14
Community-based instruction	20

* No specific definition provided

In addition to the adult education options listed above, settings mentioned in which students may earn secondary school credit are: adult high school/diploma program, correspondence school, citizenship classes, individualized education program (IEP) fulfilment, home-schooling, foreign high school diploma, and college/university courses.

Drop Out Options

In at least 22 states, students with disabilities who drop out of high school have the option of fulfilling graduation requirements or transition requirements under IDEA by taking adult education courses. Four states report that this decision is left to the LEA. In contrast, at least 14 states do not allow this option for students who drop out of high school. Three responding states did not provide information on this topic.

Inquiry results by state are presented in the table at the end of this document.

Concluding Remarks

Youth with disabilities in the majority of states have access to federal and state education funds through age 21 or older. Also in the majority of states, these youth who have a GED may still access IDEA funds. This provides greater flexibility for successful transition planning.

In more than half of the states, a variety of adult education courses and community options may be used to fulfill secondary school credits. This also presents students with more options as they prepare for the transition from school to work or post-secondary education. However, less than half of the states allow students with disabilities who drop out of school to use adult education courses to fulfill graduation or transition requirements.

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IDEAs that Work
U.S. Office of Special Education Programs

Access to Adult Education for Youth 18-21 with Disabilities
Responses to Survey Questions by State (N=43)

#1 Up through what age does your state authorize the use of federal and state public education funds for all students?
#2 According to your state law, is a GED considered a regular high school diploma for all students?
#3 Under your state law, may adult education classes be considered secondary school education for all students?
#4 Check the types of courses for which students may receive secondary school credit.
#5 Does a student with a disability who drops out of school have the option to use adult ed. courses to fulfill graduation requirements under IDEA?

State	#1	#2	#3	#4						#5
				Community College	Voc/Tech School	Alternative Program**	GED Program	Community Based Instruction	Other...	
AL	21	No	Yes						adult diploma program	Yes
AK	21	No	Yes	Y		Y			correspondence school	LEA decision
AZ	21	No	Yes	Y	Y	Y	Y		adult ed./citizenship/ESOL	LEA decision
CA	21	No	Yes	Y		Y		Y		Yes
CO	21	Yes	Yes	Y	Y	Y	Y	Y		Yes
CT	20	No	Yes	Y	Y	Y	Y	Y		No
DE	21	No	Yes	Y	Y	Y		Y		Yes
FL	21		Yes	Y	Y	Y		Y		Yes
GA	20	No	Yes	Y	Y	Y				No
HI	20	Yes	Yes	Y	Y	Y	Y	Y		Yes
ID	20	No	Yes	Y	Y	Y				Yes
IL	21	No	Yes	Y	Y	Y		Y		Yes
IN	21	Yes	Yes	Y	Y	Y			adult ed. high school classes	Yes
KS	21	No	Yes	Y	Y	Y	Y	Y		No
KY	20/21*	No	No							Yes
LA	21	Yes	Yes			Y		Y		Yes
ME	20	No	Yes	Y	Y	Y	Y	Y		LEA decision
MD	20	Yes	Yes						evening high school	Yes
MA	21	No	Yes	Y						No
MI	25	No	Yes	Y	Y	Y		Y		Yes
MN	21	No	Yes	Y		Y	Y		4 year college	No
MS	20	No	No							No
MO	21	No	No							No
MT	18	No	No							No

Access to Adult Education for Youth 18-21 with Disabilities
Responses to Survey Questions by State (N=43)

#1 Up through what age does your state authorize the use of federal and state public education funds for all students?
#2 According to your state law, is a GED considered a regular high school diploma for all students?
#3 Under your state law, may adult education classes be considered secondary school education for all students?
#4 Check the types of courses for which students may receive secondary school credit.
#5 Does a student with a disability who drops out of school have the option to use adult ed. courses to fulfill graduation requirements under IDEA?

State	#1	#2	#3	#4 Community College	Voc/Tech School	Alternative Program**	GED Program	Community Based Instruction	Other...	#5
NE	21	Yes	Yes	Y	Y	Y		Y		No
NH	18	No	Yes							
NJ	21	Yes	Yes	Y	Y	Y			adult and juvenile high school	Yes
NM	21	Yes	Yes	Y	Y	Y	Y	Y		Yes
NY	21	No	Yes	Y						Yes
NC	20 or 21*	No	Yes	Y					2/4 year college	No
ND	21	No	Yes		Y	Y	Y	Y		No
OH	21	No	Yes	Y	Y			Y		Yes
OR	21	No	Yes	Y	Y	Y	Y	Y		Yes
PA	21	No	Yes	Y	Y	Y	Y	Y	IEP fulfillment	Yes
RI	18	No	Yes	Y	Y					No
SC	21	No	No							
TN	21	No	No							Yes
UT	21	Yes	Yes	Y	Y	Y	Y	Y	university credit	Yes
VA	19	No	Yes	Y	Y	Y	Y		home-schooling	Yes
WA	18	No	No							No
WV	20	No	Yes	Y	Y	Y		Y		No
WI	21	No	Yes	Y	Y	Y	Y	Y	foreign high school diploma	
WY	20	No	Yes						alternative high school	LEA Decision

* In Kentucky, federal funds are available through age 21, and state funds are available through age 20.
In North Carolina, federal funds are available through age 20 or 21, based on an LEA decision.

** No Specific definition provided.